FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT NAGPUR

LETTERS PATENT APPEAL NO: 174/2007
(Anil Damu Jagtap vs. Hindi Seva Mandal Bhusawal and 2 others)

Office Notes, Office Memorandum of Coram appearances, Court's orders of directions and Registrar's orders.

Court's or Judges Order

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Mr. S.P.Bhandarkar, Adv. .for appellant

CORAM: A.P.LAVANDE & R.V.MORE, JJ.
DATED: 2nd August, 2007.

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1. By this Letters Patent Appeal, the appellant takes exception to order dated 16th March 2007 dismissing Writ Petition No. 6528/2006 filed by petitioner/ appellant challenging the order passed by College Tribunal dated 27.6.2006 passed by University and College Tribunal in Appeal No. 12/2003 filed by the appellant. The appellant filed the above appeal to the University and College Tribunal challenging his termination by respondents 1 and 2. According to appellant, he was serving as Librarian in Sant Gadgebaba Hindi Mahavidyalaya at Bhusaval from 1990 to 1998 and, as such, he was entitled to deemed permanency. The

Tribunal, upon appreciation of evidence and material before it held that the appellant was not having requisite qualification necessary for the post of Librarian and consequently dismissed the appeal. The Tribunal also held that the petitioner had claimed that he was working on the post of Assistant Librarian which did not exist at all. Learned single Judge also observed that the petitioner was claiming to have worked on a post which did not exist at all and, as such, he was not entitled to get the relief of reinstatement.

2. Having considered the submissions made by learned counsel for the appellant, we find no merit in the appeal. The record discloses that at the relevant time, the appellant did not have the requisite qualification required for the post of Librarian and, as such, there was no question of granting reinstatement n the post of Librarian.

3. In view of the above, we find no merit in the appeal. LPA is dismissed.

JUDGE JUDGE

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